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September 5, 2008

VIA E-FILING AND FEDERAL EXPRESS

The Honorable Jeremy Fogel
U.S. District Court, Northern District of California
280 South First Street
Courtroom 3, 5th Floor
San Jose, CA 95113-3008

Re: *SEC v. Leslie, et al.*
USDC Case No. C-07-03444 JF

Dear Judge Fogel:

In connection with the Court's Order of August 19, 2008 ("Order"), we respectfully submit this letter on behalf of Paul Sallaberry. On September 5, 2008, counsel for Defendant Mark Leslie submitted a letter to the Court that (1) responded to the SEC's letter seeking clarification of the Court's dismissal without prejudice of Claim Five, and (2) sought further clarification regarding the portion of the Order striking the SEC's prayer for penalties as time-barred pursuant to the applicable statute of limitations. By this letter, Mr. Sallaberry joins in both Mr. Leslie's response to the SEC's letter and his request for further clarification regarding the scope of the punitive relief that the Court ruled to be stricken from the complaint.

Respectfully submitted,

/s/ Gregg S. Farano

Gregg S. Farano

cc: All Parties (via e-filing)

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